

REMARKS

This responds to the Office Action mailed on October 19, 2007.

Claims 9, 12, 25, 28, 41, and 44 are amended, claims 10, 26, and 42 are canceled, and no claims are added; as a result, claims 9, 11-16, 25, 27-32, 41, 43-48, 58-59, 62-63, 66-67, 71, 73, and 75 are now pending in this application.

§103 Rejection of the Claims

Claims 9-15, 25-26 and 41-47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Greef et al. (U.S. 6,397,221; hereinafter “Greef”).

For the reasons that will be set forth below, Applicant respectfully submits that, in light of the amendment, this rejection is in error, and the identified claims are non-obvious over Greef, and are therefore allowable. Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.¹

Amended claim 9 recites, in pertinent part, “providing a category number associated with said selected category entry to be displayed for said user in said display window.” (Emphasis added throughout) The Office Action, in rejecting the previous claim 10 discussed the above limitation (now incorporated into the amended claim 9) relying on Greef at col. 4, lines 50- col. 15, lines 20 and FIG. 5. Greef, in the first cited passage indicates that that user’s entries are presented for confirmation; but the passage is clearly silent regarding “*providing a category number associated with said related category entry*,” as recited in amended claim 9:

“... the method includes a step 124, for enabling the user to enter his designation of data ... by advancing program flow to step 134 where the method prompts the user to enter identification of any existing mapping specification for the hierarchical data ... and advances directly to display step 136 where the user's entries are presented for confirmation. In association with display of the user-designated information at step 124, the method also enables the user to decide whether the entries made are acceptable or, whether because of error or desire for an alternate choice, they are not. ... Alternatively, if the user finds the designations satisfactory, he can indicate so, and the method will enable program

¹ *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006)

flow to advance over branch 142 to step 144, where the program will retrieve the information designated . . .”²

Greef describes FIG. 5 as showing tabular product numbers, e.g., DT0050, and the like, and not *category numbers*, as required by the amended claim 9:

“The tabular model number attribute value for the respective tabular products would, thereafter, identify the hierarchical frame for the respective products in the hierarchical organization, again as best seen in FIG. 5. And, in the present illustration, the tabular product numbers, DT0050, DT0010, DTH040 DTH030, LTA060, LTA020 and PTC070 respectively appear as product frames 312, 314, 316, 318, 320, 322, and 324 of frame level 310 shown in FIG. 5.”³

Thus, the Office Action has erroneously equated the tabular product numbers with the claimed *category number*. In Greef, category and product are different entities (see, for example, col. 30, lines 61-64) and product number is an attribute associated with a product (not a category), as stated at col. 32, lines 28-33. In other words, Greef does not disclose the limitation of “*providing a category number associated with said selected category entry to be displayed for said user in said display window*,” as recited in the amended claim 9. As such, at least for the reasons set forth above, the amended claim 9 is significantly different from the disclosure of Greef. Accordingly, Applicant respectfully submits that rejection of the amended claim 9 is in error because the difference between the amended claim 9 and the disclosure by Greef would not have been obvious to a person skilled in the art. Thus, the amended claim 9 and its dependent claims 11-15 are not rendered obvious by Greef and are allowable.

The same arguments as presented with respect to the amended claim 9 are also applicable to a consideration of the amended independent claims 25 and 41. As such, at least for the reasons discussed above with respect to the amended claim 9, the amended claims 25 and 41 and the dependent claims 43-47 are not rendered obvious by Greef and are, thus, allowable.

Claims 16, 32, 48, 58-59, 62-63, 66-67, 71, 73 and 75 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Greef in view of Linden et al. (U.S. Publication No. 2005/0071251 A1; hereinafter “Linden”).

² Greef, col. 14, line 50- col. 15, line 20

³ Greef, col. 27, lines 55-63

Claims 16, 32, 48, 58-59, 62-63, 66-67, 71, 73 and 75 are dependent on independent claims 9, 25, and 41. Thus, they are deemed to include every limitation of the claims they depend from. The difference between the amended claims 9, 25, and 41 and the disclosure in Greef is not remedied by the disclosure of Linden. Thus, Applicant respectfully submits that, at least for the reasons noted above, the rejection of claims 9, 25, and 41 over the combination of Greef and Linden is in error. As such, at least for the same reasons articulated above with respect to the amended independent claims 9, 25, and 41, dependent claims 16, 32, 48, 58-59, 62-63, 66-67, 71, 73 and 75 are not rendered obvious by Greef. Therefore, these claims are also allowable.

Applicants respectfully requests that the claim rejections under 35 U.S.C. § 103(a) be reconsidered, in light of the amendments, and withdrawn.

CONCLUSION


Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at 408-278-4053 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

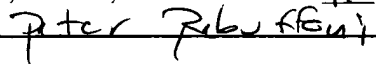
Respectfully submitted,

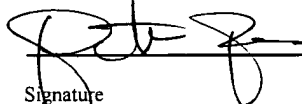
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Date December 11, 2007

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